
HOUSE BILL 1602

State of Washington 59th Legislature 2005 Regular Session

By Representatives Haigh, Hinkle and Hudgins

Read first time 01/31/2005. Referred to Committee on State Government Operations & Accountability.

1 AN ACT Relating to public records requests; and amending RCW
2 42.17.320.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 42.17.320 and 1995 c 397 s 15 are each amended to read
5 as follows:

6 (1) Responses to requests for public records shall be made promptly
7 by agencies, the office of the secretary of the senate, and the office
8 of the chief clerk of the house of representatives. Within five
9 business days of receiving a public record request, an agency, the
10 office of the secretary of the senate, or the office of the chief clerk
11 of the house of representatives must respond by either ~~((1))~~ (a)
12 providing the record; ~~((2))~~ (b) acknowledging that the agency, the
13 office of the secretary of the senate, or the office of the chief clerk
14 of the house of representatives has received the request and providing
15 a reasonable estimate of the time the agency, the office of the
16 secretary of the senate, or the office of the chief clerk of the house
17 of representatives will require to respond to the request; or ~~((3))~~
18 (c) denying the public record request. Additional time required to
19 respond to a request may be based upon the need to clarify the intent

1 of the request, to locate and assemble the information requested, to
2 notify third persons or agencies affected by the request, or to
3 determine whether any of the information requested is exempt and that
4 a denial should be made as to all or part of the request.

5 (2) An agency, the office of the secretary of the senate, or the
6 office of the chief clerk of the house of representatives may not deny
7 a public record request on the grounds that it is overbroad. In
8 acknowledging receipt of a public record request that is unclear or
9 overbroad, an agency, the office of the secretary of the senate, or the
10 office of the chief clerk of the house of representatives may ask the
11 requestor to clarify or narrow what information the requestor is
12 seeking. If the requestor fails to clarify or narrow the request, the
13 agency, the office of the secretary of the senate, or the office of the
14 chief clerk of the house of representatives need not respond to it.

15 (3) Denials of requests must be accompanied by a written statement
16 of the specific reasons therefor. Agencies, the office of the
17 secretary of the senate, and the office of the chief clerk of the house
18 of representatives shall establish mechanisms for the most prompt
19 possible review of decisions denying inspection, and such review shall
20 be deemed completed at the end of the second business day following the
21 denial of inspection and shall constitute final agency action or final
22 action by the office of the secretary of the senate or the office of
23 the chief clerk of the house of representatives for the purposes of
24 judicial review.

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